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MINUTES OF THE MEETING OF May 12, 2014

A regular meeting of the Higher Education Commission was held at 3 Barrell Court, Concord, New, Hampshire at 2:00 p.m. on Monday, May 12, 2014. The following members were present:

Tom Galligan, Chair  
Sara Jayne Steen, Vice Chair  
Steve Appleby  
Virginia Barry  
James Birge  
Sr. Paula Marie Buley  
John Curran  
Michael Diffily  
Ross Gittell  
Roxanne Gonzales  
Alicia Harvey-Smith  
Stephen Jones  
Scott Kalicki  
Peter Koch (via telephone)  
Todd Leach  
David Mahoney  
Michele Perkins  
Eli Rivera  
Lindsay Whaley

The following members were unable to attend:

Jim Fitzgerald  
Mark Huddleston  
Anne Huot

- 1) Chair Galligan called the meeting to order and welcomed everyone. He asked everyone present to introduce themselves.
- 2) Commissioner Barry presented Director MacKay with the "2013 New Hampshire State Champion for Best Practices and Support of Public Education" by the New England Secondary School Consortium. Director MacKay received a standing ovation.

- 3) Mr. Whaley moved, seconded by Mr. Rivera, to accept the minutes of February 6, 2014. The motion passed without dissent.
- 4) Mr. Whaley moved, seconded by Mr. Rivera, to accept the minutes of February 10, 2014, with Mr. Rivera being removed from those in attendance. The motion passed without dissent.
- 5) Chair Galligan opened a public hearing on the N.H. Code of Administrative Rules, Hedc 500, Scholarships for Orphans of Veterans. The public hearing remained open until formal closing and vote on a slightly revised set of Rules just prior to the adjournment of the Commission meeting.
- 6) Commission members received the report of the Nominating Committee chaired by Mr. Birge. On the motion of Mr. Birge, seconded by Sr. Paula Marie Buley, the Commission voted to accept the following slate of officers:

Chair (Representative of a Non-Public Institution)

Thomas Galligan, President, Colby-Sawyer College

Vice-Chair (Representative of a Public Institution)

Sara Jayne Steen, President, Plymouth State University

Past Chair

Vacant

Representative of a Public Institution

Todd Leach, Chancellor, University System of New Hampshire

Representative of a Non-Public Institution

Michele Perkins, President, New England College

Representative of Lay Public

David Mahoney

Representative of Lay Public

John Curran

The motion passed without dissent.

- 7) On the motion of Sr. Paula Marie Buley, seconded by Mr. Leach, the Commission voted to extend degree-granting authority to The College of Saint Mary Magdalen to offer the Bachelor of Arts in Liberal Studies and the Associate of Arts in Liberal Studies through June 30, 2016 to align with the scheduled biennial evaluation by the New England Association of Schools and Colleges.

This approval was with the condition that copies of all materials (including annual reports) to/from the New England Association of Schools and Colleges be forwarded to the Commission. Additionally, the Commission would be invited to attend any site visit(s). Participation as an observer at site visit(s) would be determined upon receipt and review of correspondence.

- 8) On the motion of Mr. Kalicki, seconded by Mr. Rivera, the Commission voted to extend degree-granting authority to Hellenic American University to offer all degrees through June 30, 2016.

This approval was with the condition that copies of all materials (including annual reports) to/from the New England Association of Schools and Colleges be forwarded to the Commission. Additionally, the Commission would be invited to attend any site visit(s). Participation as an observer at site visit(s) would be determined upon receipt and review of correspondence.

- 9) On the motion of Mr. Curran, seconded by Mr. Leach, and with Sr. Paula Marie Buley abstaining, the Commission voted to extend degree-granting authority, in lieu of a site visit, to Rivier University to offer the Ed.D. in Leadership and Learning through June 30, 2017 to align with the approval of the Doctor of Psychology.

This approval was with the condition that copies of all materials (including annual reports) to/from the New England Association of Schools and Colleges be forwarded to the Commission. Additionally, the Commission would be invited to attend any site visit(s). Participation as an observer at site visit(s) would be determined upon receipt and review of correspondence.

- 10) Paul LeBlanc, President of Southern New Hampshire University and Evaluation Team Chair, presented the Evaluation Report for St. John International University's request for continuing degree-granting authority for all degrees, which would expire on June 30, 2014 if no action was taken. The Evaluation Team traveled to Vinovo, Italy March 5-7, 2014. The Evaluation Team also included Professor Piero Garofalo, University of New Hampshire; Professor Mark Mitch, New England College; and Director MacKay. The St. John International University (SJIU) staff and faculty were professional and gracious, and eager to share the institution's progress.

SJIU responded to the sixteen questions that were the focus of the review. The Report cited a number of observations regarding areas requiring continued improvement and/or monitoring. Specific concerns were raised relating to governance and organization; planning and evaluation; finances; library and technology resources; and capacity to meet the New England Association of Schools & Colleges standards.

Given the overall progress demonstrated, the Evaluation Team Report recommended the Commission vote to approve the request of St. John International University to offer all degrees for one year, or until June 30, 2015. A subsequent written report would be due January 2015 that includes FY 2014 audited financials, a detailed enrollment update, and Board minutes for any meetings held since March 2014. SJIU would also be required to immediately notify the Commission should there be any changes in key personnel and/or the Board. However, a number of commitments made to the Evaluation Team in March were not met (such as payments for Commission expenses and settlement of former employee claims), and underscored the serious nature of issues identified during the visit.

Discussion followed and concerns were expressed about non-payment to the Higher Education Commission, members of the Evaluation Team, and former employees. Questions continue regarding the institution's financial status and access to reported resources/assets. Significant concerns also were expressed regarding governance and the level of authority granted to senior management.

Mr. Curran moved the Commission schedule a meeting on or before June 30, 2014, to consider the degree-granting authority of St. John International University, with the condition precedent that the meeting be called only if the following is received from the University:

- Confirmation the University is meeting payroll and verified by an accounting firm (presumably BDO) and Board Secretary, Jim Bianco;
- Confirmation no new claims have been made against the University, and if so, an explanation of the claim;
- Submittal of a financial report of the current fiscal year through May 31, 2014 that provides the status of cash on hand, payments to creditors, and overall operations as verified in an affidavit from the University's chief financial officer, or equivalent officer, that the information is accurate to the best of the affiant's knowledge;
- Evidence senior administrators, such as President Meadors, have the authority to access and disburse funds for college expenses, including signatory authority over all U.S. accounts;
- Statement and evidence of payment of all Commission and site visit related costs and fees;
- Evidence all former employee claims have been paid and settled in full and/or sufficient funds have been placed in a U.S. escrow account to pay all outstanding claims and cannot be removed prior to full resolution of all claims, with signature authority to Board Secretary, Jim Bianco to make all payments from this account; and
- Submittal of a revised pro forma of financial and enrollment projections for the current fiscal year and the next three fiscal years, including a breakdown of the student population by status, such as full-time undergraduate, part time undergraduate, graduate, exchange, or certificate student.

Mr. Rivera seconded the motion. The motion passed without dissent.

- 11) Jacquelyn Armitage presented the report on St. Joseph School of Nursing's request for continuing degree-granting authority to offer the Associate of Science in Nursing.

Jacquelyn Armitage served as an observer at the N.H. Board of Nursing site visit on April 1, 2014. Commission standards and N.H. Board of Nursing regulations were met. The visiting team from the N.H. Board of Nursing felt that St. Joseph School of Nursing offered a solid program and would recommend to the Board that the School be given continuing approval, with recommendations in the following areas:

- (a) Give serious consideration to increasing direct clinical experience and decreasing observation-only experiences, especially during the senior year.
- (b) Clearly define and articulate faculty workload.
- (c) Reconfigure the LPN Transition Program to award the same number of credits as the ASN program.
- (d) Improve technology resources, including the simulation laboratory.
- (e) Ensure clarity in public communications, especially via the website.
- (f) Integrate students into the governance structure of the parent organization.
- (g) Incorporate the use of trend data, with a particular need to track data for the Keene location separately.

It was recommended that the Higher Education Commission extend degree-granting approval to St. Joseph School of Nursing to offer the Associate of Science in Nursing through August 31, 2017, coordinating with the Accrediting Commission of Career Schools and Colleges (ACCSC) and the Accreditation Commission for Education in Nursing (ACEN), formerly the National League for Nursing Accrediting Commission, visits in 2017.

Further, St. Joseph School of Nursing must submit an annual Progress Report by December 31 of each year, 2015-2017, addressing recommendations outlined above.

This approval was with the condition that all copies of correspondence to and from the ACCSC, the NH Board of Nursing, and the ACEN be forwarded to the Commission. Additionally, the Commission would be invited to attend any scheduled site visit. Participation as an observer at site visits would be determined upon review and receipt of correspondence.

Per Hedc 406.01, in-state institutions under the jurisdiction of the commission shall file copies of annual or other reports as required by its recognized regional accrediting association(s).

Mr. Appleby moved, seconded by Mr. Kalicki, to accept the recommendation. The motion passed without dissent with Sr. Paula Marie abstaining.

- 12) Director MacKay updated commissioners on the New England participation in the State Authorization Reciprocity Agreement (SARA) and asked for volunteers for a working group to review SARA in depth and prepare a recommendation for Commission consideration, hopefully in October. It was decided that representatives from Southern New Hampshire University, Colby-Sawyer College, the University System of New Hampshire and the Community College System of New Hampshire would comprise the initial committee, though membership would be open to include other interested representatives.
- 13) Director MacKay presented meeting dates for 2014/2015 as follows:  
Tuesday, October 7, 2014 @ 2:00 p.m.  
Tuesday, February 3, 2015 @ 2:00 p.m.  
Tuesday, May 12, 2015 @ 2:00 p.m.
- 14) Mr. Gittell briefed commissioners on the Governor's Task Force on Science, Technology, Engineering and Mathematics Education. The Task Force shall make recommendations to the Governor on how to ensure that the Kindergarten through 12<sup>th</sup> grade science, technology, engineering and math education that New Hampshire provides its children prepares them for today's technology-driven society and includes standards that are both rigorous and extensive enough to prepare our students to compete globally.
- 15) Director MacKay presented highlights of the Director's Report.
- 16) Chair Galligan closed the public hearing of the Initial Proposal of the N.H. Code of Administrative Rules, Hedc 500, Scholarships for Orphans of Veterans and presented the Proposed Final Proposal of the N.H. Code of Administrative Rules, Hedc 500, Scholarships for Orphans of Veterans. On the motion of Mr. Leach, seconded by Mr. Appleby, an amendment was added under Hedc 501.01 (b) and 501.04 (a) (3) last sentence, "or as determined by the higher education commission." Ms. Perkins moved, seconded by Mr. Whaley, to accept the Proposed Final Proposal for the N.H. Code of Administrative Rules – Hedc 500 – Scholarships for Orphans of Veterans. The motion was approved unanimously.

The meeting adjourned at 11:15 a.m.